

REMARKS

In the Office Action mailed March 19, 2009, the Examiner rejected all pending claims 1-11, 13-25 and 29-30 under 35 U.S.C. § 102(e) as being anticipated by Barclay (Publication 2003/0119522). “[A]nticipation requires the presence in a single prior art disclosure of all elements of a claimed invention *arranged as in the claim.*” *Finisar Corp. v. DirectTV Group, Inc.*, 523 F.3d 1323, 1334 (Fed. Cir. 2008) (emphasis in the original). Applicant submits that Barclay does not teach all elements of independent claims 1, 22, and 29 arranged as in the claims, and thus, Barclay does not anticipate the present claims. Applicant requests reconsideration in view of the above amendments and the remarks below.

Applicant amended claim 1 to include subject matter previously within claims 6 and 8, and canceled claims 6-8. Applicant amended claims 22 and 29 in a similar manner. Claim 1 recites,

- in a client station, detecting a request to initiate a voice call, and
- responsive to the request, retrieving a location granularity preference of a user of the client station from memory of the client station and sending from the client station into a network a message indicating the location granularity preference of the user,
- wherein the memory of the client station includes a plurality of location granularity preferences and each location granularity preference corresponds to a respective location application.

Claims 22 and 29 recite similar language.

The Examiner cited to paragraphs 18-20 and claim 1 of Barclay as teaching the claim limitations within claims 6 and 8 (which have been incorporated into claim 1 with the present amendment). However, those sections do not describe all limitations of previously pending dependent claims 6 and 8.

Barclay describes a method of sending location information to a customer. When a call is placed to or by a customer, it is determined if any party has disabled the location ID provision feature, which is accomplished in the same way that caller ID may be disabled [0019]. Barclay describes that a code is entered prior to dialing a number, for example, *67 is used to disable caller ID and *57 may be used to disable location ID [0019]. Alternatively, Barclay describes that a party may store location granularity levels in a customer profile at a server provider's server, and the service provider can retrieve the customer's profile when a call is placed to or by the customer to determine if the location function has been enabled [0019]-[0020].

Barclay does not teach responsive to the request to initiate a voice call, "retrieving a location granularity preference of a user of the client station from memory of the client station and sending from the client station into a network a message indicating the location granularity preference of the user", as in the present claims. In contrast, Barclay describes that a user enters the location provision preferences prior to dialing a number ([0019], lines 6-7), or that the location format and granularity is obtained from customer profiles stored at the service provider.

Because Barclay does not teach all claim limitations of independent claims 1, 22, and 29 arranged as in the claims, Barclay does not anticipate claims 1-5, 9-11, 13-25 and 29-30.

Applicant further addresses the rejection of dependent claims 13, and 18-20 below.

With regard to dependent claim 13, Barclay does not describe "to provide a randomly adjusted location of the client station to a location-based application that corresponds to the voice call." The Examiner cited to paragraphs 18-20 and claim 1 in Barclay as teaching this limitation, however, Barclay does not describe to return a "randomly adjusted location". In contrast, claim 1 in Barclay describes to either return the called party's location to the calling party, or to return

the calling party's location to the called party. No adjustments are made to the location. Thus, the Examiner's assertion is incorrect and does not apply to claim 13.

With regard to dependent claims 18-20, Barclay does not describe sending the message from the client station into the network by sending "a short message service (SMS) message", "an HTTP message into the network," or "an SIP message into the network," respectively. The Examiner again cited to paragraphs 18-20 and claim 1 in Barclay as teaching this limitation, however, Barclay makes no mention of any of these types of messages. Barclay describes that a user may disable the location provision by dialing *57, and thus, Barclay describes to send instructions using dual-tone multi-frequency (DTMF) signaling. Thus, the Examiner's assertion is incorrect and does not apply to claims 18-20.

Due to the lengthy prosecution of this application, Applicant requests the Examiner to call the undersigned below at (312) 913-3331 if the Examiner has any remaining questions about the present application.

Respectfully submitted,

Dated: June 19, 2009

By: /Joseph A. Herndon/
Joseph A. Herndon
Reg. No. 50,469